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EXAMINER

NGUYEN, TOAN D

ART UNIT	PAPER NUMBER
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2616

MAIL DATE	DELIVERY MODE
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05/07/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

09/823,459

Applicant(s)

ADAMS ET AL.

Examiner

Toan D. Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 5-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 5-34 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3. Claims 1, 5, 8, 11-12, 15, 18, 20-21, 23, 25 and 29-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tazaki (US 6,765,872) in view of Kobayashi (US 6,898,641).

For claim 1, Tazaki discloses routing apparatus and a routing method, comprising:

receiving a packet to be routed to a destination at an intermediate network node configured to performed basic routing services for said packet (figure 2, references 15-18, col. 6 lines 65-67 and col. 7 lines 5-11);

determining whether said packet requires advanced routing services to route said packet to said destination which are not included in said basic routing services (figure 1, col. 7 lines 1-4 and col. 8 lines 50-60).

However, Tazaki does not expressly disclose sending said packet from said intermediate network node to a host advanced routing server; and routing said packet to said destination from at least one of said intermediate node and said advanced routing server. In an analogous art, Kobayashi discloses sending said packet from said intermediate network node to a host advanced routing server and routing said packet to said destination from at least one of said intermediate node and said advanced routing server (figures 1 and 9, reference 300, col. 13 line 64 to col. 14 line 4):

One skilled in the art would have recognized the sending said packet to a host advanced routing server, and would have applied Kobayashi's reservation procedure in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Kobayashi's network routing system and routing apparatus in Tazaki's routing apparatus and a routing method with the motivation being to provide the server 300 returns an answer to the client terminal 200 of source address of the IP packet, as needed (col. 13 lines 65-67).

For claim 5, Tazaki discloses routing apparatus and a routing method, comprising:

receiving a packet to be routed to a destination at an intermediate network node configured to perform basic routing service for said packet (figure 2, references 15-18, col. 6 lines 65-67 and col. 7 lines 5-11);

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determining whether said packet requires advanced routing services to route said packet to said destination which are not included in said basic routing services (figure 1, col. 18 lines 51-64).

However, Tazaki does not expressly disclose said advanced routing services comprising dynamic routing;

sending a request for advanced routing information to a host advanced routing server configured to perform said advanced routing services;

receiving said advanced routing information from said hosted advanced routing server; and

routing said packet to said destination from said intermediate network node using said advanced routing information

In an analogous art, Kobayashi discloses said advanced routing services comprising dynamic routing (col. 13 lines 40-44);

sending a request for advanced routing information (col. 14 lines 5-8) to a host advanced routing server (figure 1, reference 300) configured to perform said advanced routing services (figure 9, reference "Set bit sequence to packet subject to QoS assurance and transmit through reserved band");

receiving said advanced routing information from said hosted advanced routing server (col. 14 lines 10-14); and

routing said packet to said destination from said intermediate network node using said advanced routing information (col. 14 lines 14-20).

One skilled in the art would have recognized the advanced routing services comprising dynamic routing, and would have applied Kobayashi's reservation procedure in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Kobayashi's network routing system and routing apparatus in Tazaki's routing apparatus and a routing method with the motivation being to provide the server 300 returns an answer to the client terminal 200 of source address of the IP packet, as needed (col. 13 lines 65-67).

For claims 8 and 11, Tazaki discloses routing apparatus and a routing method, comprising:

receiving a packet to be routed to a destination (figure 2, references 15-18, col. 6 line 65).

However, Tazaki does not expressly disclose a request for advanced routing information at a hosted advanced routing server from an intermediate node configured to perform basic routing services for said packet, said hosted advanced routing server configured to perform advanced routing services required to route said packet to said destination which are not included in said basic routing services;

determining a packet classification for said packet;

retrieving advanced routing information corresponding to said packet classification; and

routing said packet to said destination using said advanced routing information.

In an analogous art, Kobayashi discloses a request for advanced routing information (col. 14 lines 5-8) at a hosted advanced routing server (figure 1, reference

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300) from an intermediate node (figure 1, references 100, 110) configured to perform basic routing services for said packet, said hosted advanced routing server configured to perform advanced routing services required to route said packet to said destination which are not included in said basic routing services (figure 9, reference "Set bit sequence to packet subject to QoS assurance and transmit through reserved band");

determining a packet classification for said packet (figure 2, reference 101, col. 11 lines 16-18);

retrieving advanced routing information corresponding to said packet classification col. 14 lines 10-14); and

routing said packet to said destination using said advanced routing information (col. 14 lines 14-20).

Kobayashi discloses wherein said retrieving comprises retrieving said routing information from a routing table (figure 2, reference 105, col. 12 lines 58-62 as set forth in claim 11).

One skilled in the art would have recognized the request for advanced routing information at a hosted advanced routing server from an intermediate node configured to perform basic routing services for said packet, and would have applied Kobayashi's reservation procedure in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Kobayashi's network routing system and routing apparatus in Tazaki's routing apparatus and a routing method with the motivation being to provide the server 300 returns an answer to the client terminal 200 of source address of the IP packet, as needed (col. 13 lines 65-67).

For claims 12 and 15, Tazaki discloses routing apparatus and a routing method, comprising:

basic routing services (figure 2, references 15-18, col. 6 lines 65-67 and col. 7 lines 5-11).

However, Tazaki does not expressly disclose:

receiving a request for advanced routing information for a packet to be routed to a destination at a hosted advanced routing server from an intermediate node configured to perform basic routing services for said packet, said hosted advanced routing server configured to perform advanced routing services required to route said packet to said destination which are not included in said basic routing services;

determining a packet classification for said packet;

retrieving advanced routing information corresponding to said packet classification; and

sending said advanced routing information to said intermediate node.

In an analogous art, Kobayashi discloses receiving a request for advanced routing information for a packet (figure 9, col. 14 lines 5-8) to be routed to a destination at a hosted advanced routing server (figure 1, reference 300) from an intermediate node (figure 1, reference 100) configured to perform basic routing services for said packet, said hosted advanced routing server (figure 1, reference 300) configured to perform advanced routing services required to route said packet to said destination which are not included in said basic routing services (figure 9, reference "Set bit sequence to packet subject to QoS assurance and transmit through reserved band");

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determining a packet classification for said packet (figure 2, reference 101, col. 11 lines 16-18);

retrieving advanced routing information corresponding to said packet classification col. 14 lines 10-14); and

sending said packet using said advanced routing information (col. 14 lines 14-20).

Kobayashi discloses wherein said retrieving comprises retrieving said routing information from a routing table (figure 2, reference 105, col. 12 lines 58-62 as set forth in claim 15).

One skilled in the art would have recognized the request for advanced routing information for a packet to be routed to a destination at a hosted advanced routing server from an intermediate node configured to perform basic routing services for said packet, and would have applied Kobayashi's reservation procedure in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Kobayashi's network routing system and routing apparatus in Tazaki's routing apparatus and a routing method with the motivation being to provide the server 300 returns an answer to the client terminal 200 of source address of the IP packet, as needed (col. 13 lines 65-67).

For claims 18 and 20, Tazaki discloses routing apparatus and a routing method, comprising:

a storage medium (figure 2, reference 22A, col. 8 lines 8-11);

said storage medium (figure 2, reference 22A) including stored instructions that, when executed by a processor (figure 2, reference 24), result in performing routing in a network by receiving a packet to be routed to a destination at an intermediate network node configured to perform basic routing services for said packet (col. 7 lines 5-11), determining whether said packet requires advanced routing services to route said packet to said destination which are not included in said basic routing services (figure 1, col. 7 lines 1-4 and col. 8 lines 50-60).

However, Tazaki does not expressly disclose sending said packet from said intermediate network node to a host advanced routing server configured to perform said advanced routing services, and routing said packet to said destination from at least one of said intermediate node and said advanced routing server. In an analogous art, Kobayashi discloses sending said packet from said intermediate network node to a host advanced routing server configured to perform said advanced routing services, and routing said packet to said destination from at least one of said intermediate node and said advanced routing server (figure 9, reference "Set bit sequence to packet subject to QoS assurance and transmit through reserved band", and col. 13 line 64 to col. 14 line 4).

Kobayashi discloses wherein the stored instructions, when executed by a processor, further result in receiving said packet with advanced routing information, and sending said packet to another network node using said advanced routing information (col. 14 lines 14-20 as set forth in claim 20).

One skilled in the art would have recognized the sending said packet from said intermediate network node to a host advanced routing server configured to perform said advanced routing services, and would have applied Kobayashi's reservation procedure in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Kobayashi's network routing system and routing apparatus in Tazaki's routing apparatus and a routing method with the motivation being to provide the server 300 returns an answer to the client terminal 200 of source address of the IP packet, as needed (col. 13 lines 65-67).

For claim 21, Tazaki discloses routing apparatus and a routing method, comprising:

- a storage medium (figure 2, reference 22A, col. 8 lines 8-11);

- said storage medium (figure 2, reference 22A) including stored instructions that, when executed by a processor (figure 2, reference 24), result in performing routing in a network by receiving a packet to be routed to a destination at an intermediate network node configured to perform basic routing services for said packet (col. 7 lines 5-11), determining whether said packet requires advanced routing services to route said packet to said destination which are not included in said basic routing services (figure 1, col. 7 lines 1-4 and col. 8 lines 50-60).

However, Tazaki does not expressly disclose said advanced routing services comprising dynamic routing;

- sending a request for advanced routing information to a host advanced routing server configured to perform said advanced routing services;

receiving said advanced routing information from said hosted advanced routing server; and

routing said packet to said destination from said intermediate network node using said advanced routing information

In an analogous art, Kobayashi discloses said advanced routing services comprising dynamic routing (col. 13 lines 40-44);

sending a request for advanced routing information (col. 14 lines 5-8) to a host advanced routing server (figure 1, reference 300) configured to perform said advanced routing services (figure 9, reference "Set bit sequence to packet subject to QoS assurance and transmit through reserved band");

receiving said advanced routing information from said hosted advanced routing server (col. 14 lines 10-14); and

routing said packet to said destination from said intermediate network node using said advanced routing information (col. 14 lines 14-20).

One skilled in the art would have recognized the advanced routing services comprising dynamic routing, and would have applied Kobayashi's reservation procedure in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Kobayashi's network routing system and routing apparatus in Tazaki's routing apparatus and a routing method with the motivation being to provide the server 300 returns an answer to the client terminal 200 of source address of the IP packet, as needed (col. 13 lines 65-67).

For claim 23, Tazaki discloses routing apparatus and a routing method, comprising:

a storage medium (figure 2, reference 22A, col. 8 lines 8-11);

said storage medium (figure 2, reference 22A, col. 8 lines 8-11) including stored instructions that, when executed by a processor (figure 2, reference 24), result in performing routing in a network by receiving a packet to be routed to a destination (figure 2, references 15-18, col. 6 line 65).

However, Tazaki does not expressly disclose a request for advanced routing information at a hosted advanced routing server from an intermediate node configured to perform basic routing services for said packet, said hosted advanced routing server configured to perform advanced routing services to route said packet to said destination which are not included in said basic routing services, determining a packet classification for said packet, retrieving advanced routing information corresponding to said packet classification, and routing said packet to said destination using said advanced routing information.

In an analogous art, Kobayashi discloses a request for advanced routing information (col. 14 lines 5-8) at a hosted advanced routing server (figure 1, reference 300) from an intermediate node (figure 1, references 100, 110) configured to perform basic routing services for said packet, said hosted advanced routing server configured to perform advanced routing services to route said packet to said destination which are not included in said basic routing services (figure 9, reference "Set bit sequence to packet subject to QoS assurance and transmit through reserved band"), determining a

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packet classification for said packet (figure 2, reference 101, col. 11 lines 16-18), retrieving advanced routing information corresponding to said packet classification col. 14 lines 10-14), and routing said packet to said destination using said advanced routing information (col. 14 lines 14-20).

One skilled in the art would have recognized the request for advanced routing information at a hosted advanced routing server from an intermediate node configured to perform basic routing services for said packet, and would have applied Kobayashi's reservation procedure in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Kobayashi's network routing system and routing apparatus in Tazaki's routing apparatus and a routing method with the motivation being to provide the server 300 returns an answer to the client terminal 200 of source address of the IP packet, as needed (col. 13 lines 65-67).

For claim 25, Tazaki discloses routing apparatus and a routing method, comprising:

receiving a packet to be routed to a destination at an intermediate network node configured to performed basic routing services for said packet (figure 2, references 15-18, col. 6 lines 65-67 and col. 7 lines 5-11);

determining whether said packet requires advanced routing services prior to routing said packet to said destination which are not included in said basic routing services (figure 1, col. 7 lines 1-4 and col. 8 lines 50-60).

However, Tazaki does not expressly disclose sending said packet from said intermediate node to an advanced network service provider configured to perform said

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advanced network service; and routing said packet to said destination from at least one of said intermediate node and said advanced network services provider. In an analogous art, Kobayashi discloses sending said packet from said intermediate node to an advanced network service provider configured to perform said advanced network service; and routing said packet to said destination from at least one of said intermediate node and said advanced network services provider (figures 1 and 9, reference 300, col. 13 line 64 to col. 14 line 4).

One skilled in the art would have recognized the sending said packet from said intermediate node to an advanced network service provider, and would have applied Kobayashi's reservation procedure in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Kobayashi's network routing system and routing apparatus in Tazaki's routing apparatus and a routing method with the motivation being to provide the server 300 returns an answer to the client terminal 200 of source address of the IP packet, as needed (col. 13 lines 65-67).

For claims 29-32, Tazaki discloses routing apparatus and a routing method, comprising:

- a communication medium (figure 1, col. 6 lines 41-41-46); and
- a network node configured to perform basic routing services to connect to said communication medium, said network node to receive a packet (figure 2, references 15-18, col. 6 lines 65-67 and col. 7 lines 5-11) and determine whether said packet requires

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advanced routing services or advanced network services not included in said basic routing services (figure 1, col. 7 lines 1-4 and col. 8 lines 50-60).

However, Tazaki does not expressly disclose a hosted advanced routing server to connect to said communication medium, said hosted advanced routing server to provide said advanced routing services or advanced network services for said packet prior to said packet being routed to said destination. In an analogous art, Kobayashi discloses a hosted advanced routing server to connect to said communication medium (figure 1, col. 10 lines 50-53), said hosted advanced routing server to provide said advanced routing services or advanced network services for said packet prior to said packet being routed to said destination (figure 1, reference 300, col. 13 line 64 to col. 14 line 4).

Kobayashi discloses wherein said network node determines whether said packet requires said advanced routing services or advanced network services, said network node to send said packet and a request for such services over said communication medium (figure 9, col. 14 lines 5-8 as set forth in claim 30); wherein said hosted advanced routing server receives said packet and request, and processes said packet in accordance with said request (col. 14 lines 10-14 as set forth in claim 31); wherein said network node determines whether said packet requires said advanced routing services or advanced network services, sends a request for such services over said communication medium, receives information to perform such services from said hosted advanced routing server, and processes said packet using said information (figure 9, col. 14 lines 5-31 as set forth in claim 32).

One skilled in the art would have recognized the hosted advanced routing server to connect to said communication medium, said hosted advanced routing server to provide said advanced routing services or advanced network services for said packet, and would have applied Kobayashi's reservation procedure in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Kobayashi's network routing system and routing apparatus in Tazaki's routing apparatus and a routing method with the motivation being to provide the server 300 returns an answer to the client terminal 200 of source address of the IP packet, as needed (col. 13 lines 65-67).

4. Claims 2-3, 6-7, 9-10, 13-14, 16-17, 19, 22, 24, 26, 28 and 33-34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Tazaki (US 6,765,872) in view of Kobayashi (US 6,898,641) further in view of Oguchi et al. (US 6,625,658).

For claim 2, Tazaki in view of Kobayashi does not expressly disclose wherein said sending is performed over a virtual connection. In an analogous art, Oguchi et al. disclose wherein said sending is performed over a virtual connection (figure 15B, reference 62 VC, col. 3 lines 58-59).

One skilled in the art would have recognized the wherein said sending is performed over a virtual connection, and would have applied Oguchi et al.'s direct virtual connection 62 in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Oguchi et al.'s end equipment and router in Tazaki's routing apparatus and a routing method with the motivation being to set up end equipments (col. 3 lines 59-60).

For claim 3, Tazaki discloses wherein said connection is secure (col. 13 lines 32-33).

However, Tazaki in view of Kobayashi does not expressly disclose a virtual connection. In an analogous art, Oguchi et al. disclose a virtual connection (figure 15B, reference 62 VC, col. 3 lines 58-59).

One skilled in the art would have recognized the virtual connection, and would have applied Oguchi et al.'s direct virtual connection 62 in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Oguchi et al.'s end equipment and router in Tazaki's routing apparatus and a routing method with the motivation being to set up end equipments (col. 3 lines 59-60).

For claims 6, 9, 13 and 33 the claims are directed to the same subject matter in claim 2. Therefore, they are subjected to the same rejection.

For claims 7, 10, 14, 17, 19, 22, 24, 26, 28 and 34, the claims are directed to the same subject matter in claim 3. Therefore, they are subjected to the same rejection.

For claim 16, Tazaki discloses routing apparatus and a routing method, comprising:

said intermediate node configured to perform basic routing services for said packet (figure 2, references 15-18, col. 6 lines 65-67 and col. 7 lines 5-11).

However, Tazaki does not expressly disclose:

receiving a request for advanced network service for a packet to be routed to a destination at a hosted advanced routing server from an intermediate node over a first virtual connection, said hosted advanced routing server configured to perform advanced

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routing services requires to route said packet to said destination which are not included in said basic routing services;

performing said advanced network service for said packet; and

sending said packet over a second virtual connection.

In an analogous art, Kobayashi discloses receiving a request for advanced network service for a packet (figure 9, col. 14 lines 5-8) at a hosted advanced routing server (figure 1, reference 300) from an intermediate node (figure 1, reference 100) over a first connection, said hosted advanced routing server (figure 1, reference 300) configured to perform advanced routing services requires to route said packet to said destination which are not included in said basic routing services (figure 9, reference "Set bit sequence to packet subject to QoS assurance and transmit through reserved band");

performing said advanced network service for said packet (figure 9, reference "Set bit sequence to packet subject to QoS assurance and transmit through reserved band"); and

sending said packet over a connection (figure 9, col. 14 lines 10-31).

One skilled in the art would have recognized the receiving a request for advanced network service for a packet at a hosted advanced routing server from an intermediate node over a first connection, and would have applied Kobayashi's reservation procedure in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Kobayashi's network routing system and routing apparatus in Tazaki's routing apparatus and a routing

method with the motivation being to provide the server 300 returns an answer to the client terminal 200 of source address of the IP packet, as needed (col. 13 lines 65-67).

Furthermore, Tazaki in view of Kobayashi does not expressly disclose a first virtual connection and a second virtual connection. In an analogous art, Oguchi et al. disclose a first virtual connection and a second virtual connection (figure 15B, reference 62 VC, col. 3 lines 58-59).

One skilled in the art would have recognized the virtual connections, and would have applied Oguchi et al.'s direct virtual connection in Tazaki's IP router. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Oguchi et al.'s end equipment and router in Tazaki's routing apparatus and a routing method with the motivation being to set up end equipments (col. 3 lines 59-60).

5. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kobayashi (US 6,898,641) further in view of Oguchi et al. (US 6,625,658).

For claim 27, Kobayashi discloses network routing system and routing apparatus, comprising:

a storage medium (figure 2, reference 105, col. 12 lines 58-61);

said storage medium including stored instructions that, when executed by a processor, result in performing advanced network services in a network by receiving a request for an advanced network service for a packet over a first connection from an intermediate node (figure 2, references 100 and 110) configured to perform routing service for said packet (figure 9, col. 14 lines 5-8), performing said advanced network service for said packet (figure 9, reference "Set bit sequence to packet subject to QoS

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assurance and transmit through reserved band"); and sending said packet over a second connection (col. 14 lines 10-31).

However, Kobayashi does not expressly disclose a first virtual connection and a second virtual connection. In an analogous art, Oguchi et al. disclose a first virtual connection and a second virtual connection (figure 15B, reference 62 VC, col. 3 lines 58-59).

One skilled in the art would have recognized the virtual connections, and would have applied Oguchi et al.'s direct virtual connection in Kobayashi's reservation procedure. Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention, to use Oguchi et al.'s end equipment and router in Kobayashi's network routing system and routing apparatus with the motivation being to set up end equipments (col. 3 lines 59-60).

Response to Arguments

6. Applicant's arguments filed 02/13/07 have been fully considered but they are not persuasive.

The applicant argues with respect to claims 1, 5, 8, 12, 16, 18, 21, 23, 25, 27, and 29 on page 11, first paragraph, that the server 300 described in Kobayashi is an end user or destination of the packet and applicant submit that amended independent claims recite elements which distinguish the claims from the server 300 described in Kobayashi whether alone or in combination with Tazaki and/or Oguchi. The examiner disagrees. Applicant attention is directed to Kobayashi patent at col. 13 line 64 to col. 14 line 4 (see figure 9, reference 300), where Kobayashi clearly teaches "For examples,

each of a plurality of client terminals 200 transmit various data arising in daily business activities in the form of IP packets to the server 300 (a host advanced routing server means), and the server 300 returns an answer to the client terminal 200 of the source address of the IP packet, as need." The motivation to combine Kobayashi's teaching of server 300 in Tazaki would be to return an answer to the client terminal 200 of source address of the IP packet for Tazaki's router.

Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

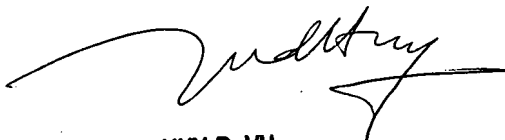
8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Toan D. Nguyen whose telephone number is 571-272-3153. The examiner can normally be reached on M-F (7:00AM-4:30PM).

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mr. Huy Vu can be reached on 571-272-3155. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

TN
TN



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